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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8 EMMA C. et al.,

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Plaintiffs,

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v.

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DELAINE EASTIN, et al.,

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Defendants.

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NO. C96-4179 TEH

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ORDER RE PROCESS FOR
MAKING ALLOCATION
FOR FISCAL YEAR 2009-10

A new fiscal year will commence on July 1, 2009. The Court hopes that Defendants will be able to agree upon an equitable allocation for fiscal year 2009-2010 without intervention from the Court, in light of the guidance provided by this Court's May 14, 2003 Order Re Initial Allocation, and their past successes in reaching agreement.¹ In the event, however, that informal resolution is not possible, the Court will make an equitable allocation.

To facilitate the allocation process in a timely manner, the Court sets forth the following schedule:

1. By no later than Friday, April 17, 2009, Ravenswood and the Court Monitor shall each submit their respective proposed budgets to the Court and the parties.

2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith to seek an agreement upon an equitable allocation for the fiscal year 2008-09.

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¹ This allocation will cover two budgets: (1) the RSIP implementation budget, and (2) the Monitor's Office budget.

1 3. Defendants shall, by no later than Friday, May 1, 2009, file either a joint
2 statement setting forth an agreed upon allocation for fiscal year 2009-10 or, if no agreement
3 has been reached, separate opening briefs setting forth their respective positions with respect
4 to an appropriate allocation.

5 4. If the parties have not reached agreement, Defendants shall respond to each
6 other's opening briefs by no later than Friday, May 15, 2009. The Court shall hold a hearing
7 on the allocation issue on Wednesday, May 27, 2009 at 10:00 A.M. To the extent that
8 Plaintiffs wish to address this matter, they may file comments responding to defendants'
9 opening briefs no later than May 15, 2009.

10 The Court will also hold a Status Conference on Wednesday, May 27, 2009 at 10:00
11 A.M., whether or not a hearing on the allocation of costs is necessary. The Parties shall
12 submit status conference statements one week before the conference.

14 **IT IS SO ORDERED.**

17 Dated: March 11, 2009



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THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT

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